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March 7, 2025

Honorable Edward J. Davila
United States District Court
Northern District of California
280 South 1st Street
San Jose, CA 95113

Re: *Regents of the University of Minnesota v. LSI Corp., et al.*
USDC, Northern District of California Case No. 18-cv-00821-EJD-NMC

Dear Judge Davila:

Pursuant to this Court's Minute Entry dated March 6, 2025, Defendants LSI Corporation and Avago Technologies U.S. Inc. ("LSI") submit the following proposal to address the Section 101 issue pending before the Court.

As set forth in *Alice* and subsequent decisions, determining whether a claim is not eligible for protection is a two-step process. First, the Court must consider and decide as a matter of law whether the claim presents an abstract idea and, if so, what is the abstract idea. Then, under Step 2, the jury shall decide what is the inventive step of the claim. Defining the abstract idea is paramount, as the alleged inventive material of Alice Step 2 cannot consist of the abstract idea itself. *See SAP Am., Inc. v. InvestPic, LLC*, 898 F.3d 1161, 1163 (Fed. Cir. 2018).

LSI appreciates the Court's hesitancy in conducting a Step 1 hearing prior to or during the trial. As such, LSI proposes that both *Alice* steps be presented to the Court via post-trial briefing under Rule 52.

Sincerely yours,

HOLLAND & KNIGHT LLP

/s/ *Kristopher L. Reed*

Kristopher L. Reed